

# SENATE BILL REPORT

## SB 5743

---

---

As Reported By Senate Committee On:  
Government Operations & Elections, February 24, 2005

**Title:** An act relating to voter registration procedures.

**Brief Description:** Enhancing voter registration recordkeeping.

**Sponsors:** Senators Kastama, Roach, Fairley, Benson, Berkey, Haugen, McAuliffe, Shin, Parlette, Keiser, Mulliken and Rockefeller; by request of Secretary of State.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/14/05, 2/24/05 [DPS].

---

### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 5743 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Benton, Fairley, Haugen, Kline, Mulliken and Pridemore.

**Staff:** Diane Smith (786-7410)

**Background:** Only registered voters may vote. Of the information asked on a voter registration form, only the following is required for voter registration: name; complete residence address; date of birth; Washington driver's license number; identification card or the last four digits of the applicant's social security number; a signature attesting to the truth of the information provided on the application; and a check in the box confirming United States citizenship.

The other information requested by the voter registration form, such as the address of the last former registration, the mailing address if different from the residence address, and the sex of the applicant, is ancillary information. It is not to be used to deny registration.

Effective January 1, 2006, the Secretary of State (SOS) must review each voter registration application to determine whether the applicant's driver's license number or last four digits of the social security number match the information maintained by the Department of Licensing and the Social Security Administration. If there is not a match, the SOS must correspond with the applicant to resolve the discrepancy. The applicant has 30 days to respond to the SOS, after which time the SOS must forward the application to the county auditor for document storage.

Specificity is lacking in some instances for the purpose of determining the date on which an applicant for voter registration is considered to be registered. For instance, in response to the SOS inquiry to resolve a discrepancy, if the discrepancy is resolved, the date of registration is the date the original voter registration application was mailed. When a person or organization

collects voter registrations, the registrations must be submitted to the SOS or a designee at least once weekly. The date on which the individual voter's registration is effective, however, is not indicated.

If a voter becomes a convicted felon, his or her eligibility as a registered voter terminates. The SOS and the Department of Corrections periodically compare lists to correctly identify felons. Felons are removed from the official state voter registration list and, effective January 1, 2006, from the statewide voter registration data base.

Effective January 1, 2006, counties with fewer than 10,000 registered voters are to be compensated from funds provided by the Help America Vote Act for maintaining the electronic voter registration data base.

**Summary of Substitute Bill:** The information required for voter registration is clarified with the addition of the state identification card, Washington state driver's license number, or last four digits of the social security number as acceptable identification.

The confirmation notice sent to voters so that they may update their current residence address must include a postage prepaid and a preaddressed return form.

If the applicant's driver's licence or social security number does not match the information maintained by the Department of Licensing or the Social Security Administration, the applicant has 15 more days, a total of 45 days, to respond to correspondence from either the SOS or the county auditor. The applicant may respond with copies of a current photo identification, utility bill, bank statement, paycheck, government check or another government document that shows the applicant's name and address. Upon failure to respond, the applicant will not be registered to vote.

As long as an applicant meets all requirements to register to vote, having a nontraditional address is not a basis for disqualification. These voters are registered at the county courthouse, city hall, or other public building near the area the voter considers his or her residence.

The date on which the applicant is considered a registered voter is the date of the original registration application, when correspondence resolves the question raised by nonmatching driver's license or social security number information. It is clarified that voter registration forms collected by persons or organizations may be transmitted to the SOS or the county auditor. The registration date of those forms is the date they are received.

Other appropriate state agencies including the Washington State Patrol and the Office of the Administrator for the Courts, must be included in the periodic comparison of lists so as to identify felons to delete them from the statewide voter registration list and database.

The notification sent to felons cancelling their voter registration must include an explanation of the requirements for restoring the right to vote. A certificate of discharge or an order restoring civil rights may be used as proof that the sentencing requirements of the felony conviction have been satisfied.

The provision for compensation to counties of less than 10,000 registered voters for maintenance of the electronic voter registration data base is repealed.

**Substitute Bill Compared to Original Bill:** The original bill did not enumerate the secondary forms of identification that may be used by an applicant for voter registration to prove his or her residence address. Other agencies that must compare the statewide voter registration list with lists of know felons are listed as the Washington State Patrol and the Office of Administrator for the Courts.

The notification made to felons that their voter registration is cancelled must contain an explanation of the requirements for restoring the right to vote. It is clarified that the certificate of discharge or order restoring civil rights may be used as proof that the felon has completed all sentencing requirements resulting from the felony conviction.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on January 1, 2006.

**Testimony For:** This is the cleanup required by the Help America Vote Act (HAVA). The new statewide voter registration database needs specificity.

**Testimony Against:** This is just more costs the county auditors will have to bear. Felons have no single place to go to determine if all their rights have been restored. Restoration is a difficult and convoluted process. People give up. Since 1988 of the 300,000 felons, only less than 70,000 have had their voting rights restored.

**Who Testified:** Lonnie Johns-Brown, League of Women Voters; Jennifer Shaw, ACLU.  
PRO: Sam Reed, Shane Hamlin, Office of the Secretary of State; Bob Terwilliger, Snohomish County Auditor; Pat McCarthy, Pierce County Auditor.

CON: David Anderson, Your Vote Counts.